

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERISOURCEBERGEN DRUG	:	CIVIL ACTION
CORPORATION,	:	
Plaintiff,	:	
	:	
V.	:	
	:	
KOHLL'S PHARMACY AND	:	NO. 09-1166
HOMECARE, INC.,	:	
Defendant.	:	

ORDER

AND NOW, this 24th day of September, 2010, upon consideration of Defendant Kohll's Pharmacy and Homecare, Inc.'s Motion for Leave to File a First Amended Answer to the Complaint with Affirmative Defenses and Counterclaim (Docket No. 53), Plaintiff's Response in Opposition to Defendant's Motion for Leave to File a First Amended Answer (Docket No. 55), and Defendant's Supplemental Memorandum of Law in Support of Defendant Kohll's Pharmacy and Homecare, Inc.'s Motion for Leave to File a First Amended Answer to the Complaint with Affirmative Defenses and Counterclaim (Docket No. 57), and following oral argument on September 16, 2010, it is hereby ORDERED that the Defendant's motion for leave to amend is GRANTED, and the First Amended Answer of Defendant, Kohll's Pharmacy and Homecare, Inc. to Plaintiff's Complaint with Affirmative Defenses and Counterclaim (Docket No. 53-1) is deemed filed as of the date of this Order.

IT IS FURTHER ORDERED Defendant shall respond to Plaintiff's document requests within two weeks after receiving them, and the parties shall work to determine a mutually convenient time for the deposition discussed at the September 16, 2010 oral argument, for which

the Defendant shall produce the witness at its own expense. Thereafter, the parties will notify the Court, at which time the Court will amend the November 13, 2009 Scheduling Order.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge